

Request for Applications (RFA)
CVS 20-068
2020-2021 AmeriCorps State Formula Programs

Issued on December 12, 2019
Applications Due Date: January 22, 2020 at 11:59 p.m. EST

Optional Pre-Application Conference Call: An optional pre-application conference call will be held on January 3, 2020 from 1:30-3:00 pm. Applicants must call the following conference number: 1-601-732-5327 (PIN 822 439#) and connect to the presentation at <https://meet.google.com/jnm-dogh-fje..> The purpose of the conference is to give prospective applicants an opportunity to present questions and receive clarification on any section of this RFA. After the conference, responses to any outstanding questions will be provided to representatives by January 8, 2020. Questions may also be submitted to Mr. Danilo Vasquez, VDSS Senior Contracts Officer, at danilo.vasquez@dss.virginia.gov. Any changes to the RFA that may result from this conference or questions received will be issued in a written addendum to the RFA no later than five (5) days prior to due date and will be posted on the eVA website at www.eva.virginia.gov.

All Inquiries for Information Should Be Directed To: Danilo S. Vasquez, Sr. Contract Officer,
Email: danilo.vasquez@dss.virginia.gov; Phone: 804-726-7185

Send Applications to:
Virginia Department of Social Services
Division of General Services, Procurement
801 East Main Street, 14th Floor
Richmond, VA 23219-2901
Attention: Danilo S. Vasquez, CPPB, VCO

NOTE: This Public Body Does Not Discriminate Against Faith-Based Organizations In Accordance With The Code Of Virginia, §2.2-4343.1 Or Against A Bidder Or Offeror Because Of Race, Religion, Color, Sex, National Origin, Age, Disability, Sexual Orientation, Gender Identity, Political Affiliation, Or Veteran Status, Or Any Other Basis Prohibited By State Law Relating To Discrimination In Employment. Faith-Based Organizations May Request That The Issuing Agency Not Include Subparagraph 1.e In General Condition C. Such A Request Shall Be In Writing And Explain Why An Exception Should Be Made In That Request For Applications.

Request for Applications

CVS-20-068

Issued on December 12, 2019

Section I. Award Information

- A. Purpose of Request for Applications (RFA): The purpose of this Request for Applications (RFA) is to solicit applications from eligible applicants to establish subgrantee awards to operate AmeriCorps State programs for the 2020-2021 program year funded through the Corporation for National and Community Service (CNCS) AmeriCorps State and National formula allocation to the Commonwealth of Virginia. For the 2020-2021 program year, the Commission is also accepting applications for planning grants. Proposed programs must meet the requirements in the CNCS Notice of Funding Opportunity (NOFO) (Appendix I). **Due date for all applications is Wednesday, January 22, 2020 by 11:59 p.m. EST.**
- B. Selection of Applicants For Award: Selection shall be made of applicants deemed to be responsive to the requirements of this RFA and qualified based on the process outlined in Section VI. Application Review Information. If selected, a subaward agreement will be issued to the successful applicant incorporating by reference all of the requirements, terms and conditions of this solicitation, and the subrecipient's application as negotiated, if applicable. **Applicants with an application pending which was submitted in response to solicitation RFA CVS-20-045-02 may also submit an application for the same or similar project under this RFA.**
- C. Funding Information: The AmeriCorps State formula program is wholly supported with federal funds from the Corporation for National and Community Service. The level of funding available for award under this RFA is subject to final federal appropriation amounts. Applications selected will result in a VDSS subaward to the applicant for the provision of AmeriCorps services or planning activities for the 2020-2021 program year.

Federal Awarding Agency: Corporation for National and Community Service

Federal Award Identification Number (FAIN): To be determined

Federal Award Date: To be determined

CFDA Number: 94.006

Federal Award Project Description:

AmeriCorps grants are awarded to eligible organizations proposing to engage AmeriCorps members in evidence-based or evidence-informed interventions/practices to strengthen communities.

Total Amount of the Federal Award: To be determined

Amount of Federal Funds Obligated by this Action: To be determined

Note: This is not a Research and Development (R&D) Grant

There are general Federal cost principles that are applicable to all awards made with federal funds. These general principles are outlined in 2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

D. Period of Performance:

1. VDSS will issue subawards for a one-year period of operation with an option for two (2) consecutive one-year renewals. Renewals for subsequent years, also known as continuation awards, are not guaranteed and depend upon funding availability and demonstrated satisfactory compliance and performance. Planning grants are for no more than twelve months and are not eligible for renewal.
2. A program's period of performance will generally be twelve months from September 1, 2020 - August 31, 2021. An applicant with a program design which would be better served by an alternate period of performance may propose an alternate period provided it is 1.) no less than twelve months (though member service terms may be less than twelve months); 2.) no earlier than August 15, 2020; and 3.) is clearly and consistently stated in the application narrative, SF 424 form, and supporting application. **The project start date may not occur prior to the date CNCS issues awards to VDSS and a subsequent subaward agreement is fully-executed between VDSS and the subrecipient.** VDSS reserves the right to decline alternate periods of performance.
3. Should an applicant determine that its program design requires incurring costs prior to the official award state date, a request for approval of pre-award costs must be submitted to Virginia Service Commission on letterhead as an attachment. For example, programs that plan to incur costs for recruitment or National Service Criminal History Checks prior to the performance period start date should request approval of pre-award costs. Consideration and final approval for pre-award costs must be granted by CNCS.
4. AmeriCorps members may not enroll prior to the start date of the award. AmeriCorps members may not begin service prior to the beginning of the member enrollment period as designated in the grant award. A program may not certify any member hours prior to the beginning of the member enrollment period.

E. Notice of Intent to Apply

A Notice of Intent to Apply under this Request for Applications is *suggested* from all prospective applicants by January 9, 2020. This Notice (Attachment L) can be found in the posting on the statewide electronic procurement system eVA website at www.eva.virginia.gov and the Virginia Service website <http://virginiasservice.virginia.gov/>. Submit the completed Notice to AmeriCorpsinfo@dss.virginia.gov.

- F. **Optional Pre-Application Conference Call:** An optional pre-application conference call will be held on **January 3, 2020 from 1:30-3:00pm**. Applicants must call the following conference number: +1 601-732-5327 PIN: 822 439# and connect to the presentation at <https://meet.google.com/jnm-dogh-fje>. The purpose of the conference is to give prospective applicants an opportunity to present questions and receive clarification on any section of this RFA. After the conference, responses to any outstanding questions will be provided to representatives by January 8, 2020. Questions may also be submitted to Mr. Danilo Vasquez, VDSS Contracts Officer, at danilo.vasquez@dss.virginia.gov. Any changes to the RFA that may result from this conference call or questions received will be issued in a written addendum to the RFA and will be posted on the eVA website at www.eva.virginia.gov.

- G. Copies of this RFA, including the necessary forms, instructions, and addenda (if applicable) may be downloaded from the DGS/DPS eVA website at www.eva.virginia.gov. The application can be found by clicking on the dropdown “Business Opportunities,” selecting “Virginia Business Opportunities (VBO)” and entering the solicitation number: CVS 20-068 in the Search box.

Section II. Program Opportunity Description & Requirements

A. Program Background

AmeriCorps is a network of local, state, and national service programs that connects over 70,000 Americans each year in intensive service to meet community needs in education, the environment, public safety, health, and homeland security. AmeriCorps’ members serve with more than 2,000 non-profits, public agencies, and community organizations. AmeriCorps grants are awarded to eligible organizations proposing to engage AmeriCorps members in evidence-based or evidence-informed interventions/practices to strengthen communities. An AmeriCorps member is an individual who engages in community service through an approved national service position. Members may receive a living allowance and other benefits while serving. Upon successful completion of their service, members earn a Segal AmeriCorps Education Award from the National Service Trust that members can use to pay for higher education expenses or apply to qualified student loans. AmeriCorps’ consists of three programs in which applicants may enroll: (1) VISTA; (2) NCCC; and (3) AmeriCorps State and National. **This RFA is for applications for AmeriCorps State and National funding only.**

Governor’s Advisory Board on Service and Volunteerism

The mission of the Governor's Advisory Board on Service and Volunteerism is to be proactive in the support of community-based initiatives to build stronger communities and enhance existing relationships that address local educational, community development, economic, health, environmental and other social/cultural needs by identifying and involving diverse community service volunteers. The Board exists to fulfill the mandate of the Code of Virginia, Chapter 24 of Section 2.2-2478 which states: “The Governor's Advisory Board on Service and Volunteerism is established as an advisory board, within the meaning of § 2.2-2100, in the executive branch of state government to advise the Governor and Cabinet Secretaries on matters related to promotion and development of national service in the Commonwealth and to meet the provisions of the federal National and Community Service Trust Act of 1993.”

AmeriCorps State programs are managed under advisement from the Governor’s Advisory Board by Virginia Service Commission staff of the Virginia Department of Social Services, Office on Volunteerism and Community Service. For more information on the Board, Commission staff and the activities promoting volunteerism, national service, and community support programs in the Commonwealth, including AmeriCorps, please visit <http://virginiasservice.virginia.gov/>.

B. Award Process

This RFA will establish a prospective portfolio of AmeriCorps State formula programs that will become a part of the Commonwealth's submission package to the Corporation for National and Community Service for funding approval. The VDSS RFA is designed to identify those applications that the Commonwealth recommends for consideration based on the results of the selection criteria found in Section VI. Application Review Information. Award amounts will vary as determined by the scope of the projects. Planning grants may be awarded for a maximum of one (1) subaward period and for no more than \$50,000 per program. The Virginia Service Commission reserves the right to award funding at levels lower than requested and for less than the Minimum Request. The Commonwealth may cancel this Request for Applications or reject applications at any time prior to an award. All subawards will be on a cost reimbursement basis.

C. Focus Areas with Funding Priorities & Planning Grants

The National and Community Service Act of 1990, as amended by the Serve America Act, emphasizes measuring the impact of service and focusing on a core set of issue areas including: Disaster Services, Economic Opportunity, Education, Environmental Stewardship, Healthy Futures and Veterans and Military Families. While the Governor's Advisory Board and Virginia Service Commission will consider applications addressing national service in any of these CNCS focus areas, the following focus areas have been identified as Virginia funding priorities:

- ❖ Economic Opportunity
- ❖ Education
- ❖ Healthy Futures Emphasis on program designs that reduce and/or prevent prescription drug and opioid abuse
- ❖ Rural intermediaries - Organizations that demonstrate measurable impact and primarily serve rural communities with limited resources and organizational infrastructure.

Planning Grants

AmeriCorps planning grants assist organizations in developing the infrastructure and receiving the training needed to effectively manage an AmeriCorps program, which includes recruiting, training, and supporting AmeriCorps members. Ultimately, organizations use planning grants to become better prepared to compete for an AmeriCorps award in a subsequent award cycle.

Planning grant activities may involve work to establish a new program or to replicate a successful existing program model in unserved or underserved areas of the Commonwealth. Throughout the planning period, subgrantees will have access to technical assistance and other resources to create the necessary partnerships for a program to succeed. ***Planning grants may not be used to support AmeriCorps members in national service.**

Funds may support activities and related costs directly tied to AmeriCorps program planning and development and achievement of planning grant deliverables. Allowable activities include, but are not limited to:

- ❖ Staff or consultant(s) to facilitate project planning and provide training and technical assistance aimed at improving the subgrantee's ability to implement an AmeriCorps program effectively;

- ❖ Assessing and analyzing community needs-related information to identify specific gaps or needs that can be addressed through AmeriCorps;
- ❖ Researching appropriate evidence-based interventions to inform service activities to be performed by AmeriCorps members;
- ❖ Developing a program theory of change and logic model;
- ❖ Outreach and establishment of community partnerships to support the planning and implementation of the AmeriCorps program;
- ❖ Partnership planning meetings;
- ❖ Developing plans for member recruitment, selection, placement, training, and supervision;
- ❖ Developing plans for managing and supporting program site partners;
- ❖ Developing plans and systems for ensuring grant compliance and accountability
- ❖ Travel to training and technical assistance sessions provided by VSC
- ❖ Travel to existing Virginia AmeriCorps programs or other community-based programs with similar models

D. AmeriCorps State and National Performance Measure Requirements

All applications must include at least one aligned performance measure (output paired with an outcome) that corresponds to the proposed primary intervention. This may be a National Performance Measure or an applicant-determined measure depending on the program's Theory of Change. Applications may also include National Performance Measure outputs without associated outcome(s) provided that the output measures a significant program activity. These output-only measures do not fulfill the requirement for an aligned performance measure, but may be selected in addition to the aligned measure(s). All performance measures must reflect significant program activities whose outputs and outcomes are consistent with the applicant's core Theory of Change. Applicants are not expected to have performance measures for every program activity. CNCS does not require applicants to use National Performance Measures but expects them to do so if National Performance Measures reflect key outputs and/or outcomes of the theory of change. Please see CNCS Performance Measures Instructions AmeriCorps State and National 2020 (Appendix IV) for more information.

E. AmeriCorps State Program Requirements

To gain a full understanding of AmeriCorps program requirements in order to appropriately respond to this RFA, all applicants must thoroughly review the CNCS Notice of Funding Opportunity (NOFO) released on September 12, 2019 (Appendix I), ASN Application Instructions (Appendix III), 2020 AmeriCorps State & National Mandatory Supplemental Guidance (Appendix II), Performance Measures Instructions (Appendix IV) and other appendices to this document.

1. Supplantation of Funds

Awards may not be used to replace State and local public funds that had been used to support programs of the type eligible to receive CNCS support. This condition is satisfied if the aggregate non-Federal public expenditure for that program in the fiscal year that support is to be provided is not less than the previous fiscal year.

2. Nondisplacement of Employees and Volunteers

Organizations may not utilize members in a manner that displaces employees, or positions, or displaces volunteers. Members may not perform any services or duties or engage in activities that would otherwise be performed by an employee as part of the assigned duties of such employee. Consult 45 CFR Part 2540.100 (f) for a complete description of nondisplacement.

3. Minimum Member Service Year/ Number of Members

Under this RFA, the Virginia Service Commission strongly encourages applicants to request at least 10 Member Service Year (MSY), however applications with a minimum of five (5) MSY AND no less five members will be accepted. One MSY is equivalent to 1700 service hours, which is a full-time AmeriCorps position. The types of member slots available are: Full-time, Three Quarter-time, Half-time, Reduced halftime, Quarter time, and Minimum Time. Please see Table in 3. Member Living Allowance. There is no maximum number, or ceiling, on the number of MSY and number of members that may be requested.

4. Maximum Cost per Member Service Year (MSY)

The maximum amount an applicant may request from CNCS per MSY is determined on an annual basis. **Under this RFA, the Maximum Cost per Member Service Year is \$15,479.** The CNCS cost per MSY is determined by dividing the CNCS share of budgeted grant costs by the number of MSYs requested. It does not include child care or the value of the education award a member may earn.

5. Member Living Allowance

A living allowance is not considered a salary or a wage. Programs are not required to provide a living allowance for members serving in less than full-time terms of service. If a program chooses to provide a living allowance to a less than full-time member, it must comply with the maximum limits in the table below. The amount must be included in the proposed budget as either CNCS or grantee share.

Service Term	Minimum # of Hours	Member Service Year (MSY) Value	Minimum Living Allowance	Maximum Total Living Allowance
Full-time (FT)	1,700	1.0	\$14,279	\$28,558
Three Quarter-Time (TQT)	1,200	.70000000	n/a	\$20,159
Half-Time (HT)	900	.500	n/a	\$15,119
Reduced Half-Time	675	.3809524	n/a	\$11,339
Quarter-Time (QT)	450	.26455027	n/a	\$7,559
Minimum-Time	300	.21164022	n/a	\$5,040

6. Cost Sharing or Matching Requirements

Applicants, including those applying for planning grants, are required to match funds based on the number of AmeriCorps funding years completed. For example, a first-time successful applicant is required to match at 24 percent for the first three-year funding period. Starting with year four, the match requirement gradually increases every year to 50 percent by year ten, according to the minimum overall share chart found in 45 CFR §2521.60 and below.

AmeriCorps Funding Year	1, 2, 3	4	5	6	7	8	9	10+
Grantee Share Requirements	24%	26%	30%	34%	38%	42%	46%	50%

The applicant's match can be federal or non-federal cash and/or in-kind contributions. Applicants must demonstrate the ability to meet the match requirement at the time of application submission. Section 121(e)(5) of NCSA (42 U.S.C. 12571(e)) requires programs that use other federal funds as match for an AmeriCorps grant to report the amount and source of these funds to CNCS on a Federal Financial Report. CNCS grantees must track and be prepared to report on that match separately each year and at closeout.

Alternative Match

Under certain circumstances, applicants may qualify to meet alternative matching requirements that increase over the years to 35 percent instead of 50 percent as specified in the regulations at 45 CFR §2521.60(b). To qualify, applicants must demonstrate that the proposed program is either located in a rural county or in a severely economically distressed area as defined in the NOFO. Please consult the NOFO in Appendix I for qualifications. **Applicants requesting an alternative match schedule must submit, as an attachment, a request on letterhead to the Virginia Service Commission at the time of application.**

7. National Service Criminal History Check Requirements

The National Service Criminal History Check (NSCHC) is a specific screening procedure established by law to protect the beneficiaries of national service. The law requires grantees to conduct and document NSCHCs on persons (including award-funded staff, national service participant, or volunteer) receiving a salary, living allowance, stipend, or education award through a program receiving CNCS funds. This includes staff that receive part of their salary through a subgrant. An individual is ineligible to serve in a position that receives such CNCS funding if the individual is registered, or required to be registered, as a sex offender or has been convicted of murder. **The cost of conducting NSCHCs is an allowable expense under the CNCS Share of the award. Subrecipients must utilize the two vendors CNCS has engaged to conduct the required NSCHCs.** Failure to conduct a compliant National Service Criminal History Check will result in cost disallowances.

The Virginia Service Commission requires that all covered individuals receive:

1. NSOPW and applicable out of state checks conducted through Truescreen

Subgrantees must use Truescreen, a vendor approved by CNCS to provide NSOPW and state criminal history checks; research source-level documentation when needed; make adjudication recommendations to subrecipients; facilitate compliance with the Fair Credit Reporting Act (FCRA), including pre-adverse and adverse action notices; provide time records of relevant compliance steps like adjudication; and maintain records. All CNCS subrecipients may use Truescreen. Service to CNCS subrecipients began in November 2018 and can be accessed here: <https://applicationstation.truescreen.com>, using the CNCS specific agreement code: CNCS Agreement

2. A fingerprint-based FBI check through Fieldprint

Recipients must use Fieldprint to obtain fingerprint-based FBI checks on individuals in covered positions. Recipients must establish accounts through Fieldprint's CNCS specific webpage: www.fieldprintcncs.com. Fieldprint can provide FBI checks on individuals that have applied to work or serve in positions that receive an education award from CNCS or a CNCS grant-funded living allowance, stipend or salary. The CNCS document "Using Fieldprint and Truescreen for NSOPW, State and FBI Checks" outlines how to set up and use your account.

3. VDSS Child Protective Services Background Check

The Virginia Service Commission has an agreement with the Virginia Department of Social Services (VDSS) Office of Background Investigations (OBI) to conduct Child Protective Services (CPS) background checks on all AmeriCorps State members and program staff. The AmeriCorps State Programs are exempt from the processing fee, following the request of an exemption code.

In addition, CNCS and VSC will consider a Truescreen NSOPW check and a Fieldprint FBI fingerprint check to constitute a compliant check for Virginia, regardless of a covered position's access to vulnerable populations. At this time, a Virginia state check is not required to meet CNCS requirements for Virginia if a grantee obtains an NSOPW check from Truescreen, obtains any required out-of-state state checks that are available from Truescreen, and conducts a fingerprint-based FBI check. Please review the Truescreen ASP for more information.

Unless CNCS has provided a grant recipient with a written exemption or written approval of an alternative search procedure, recipients must perform the following checks:

All award-funded staff, national service participants, and volunteers must undergo NSCHCs that include:

- A nationwide name-based search of the National Sex Offender Public Website (NSOPW); and
- Either

A name- or finger-based search of the statewide criminal history registry in the person's state of residence and in the state where the person will serve/work or

A fingerprint-based FBI criminal history check.

Special Rule for Persons Serving Vulnerable Populations. Award-funded staff, national service participants, and volunteers with recurring access to vulnerable populations (i.e., children age 17 or younger, individuals age 60 or older, or individuals with disabilities) must undergo NSCHCs that include:

- A nationwide name-based check of the NSOPW; and
- Both

A name- or fingerprint-based search of the statewide criminal history registry in the person's state of residence and in the state where the person will serve/work; and

A fingerprint-based FBI criminal history check. See 45 CFR § 2540.200–§ 2540.207 and CNCS Criminal History Check Resources for complete information and FAQs.

As of December 31, 2019, many pre-approved Alternative Search Procedures (ASPs) and any existing, individual ASP/Exemption requests will expire and will no longer be available for use.

[National Service Criminal History Check Guidance to Enforcement Guidance](#)

8. Virginia Service Commission Training and Days of Service

As scheduled during the performance period, subrecipient staff are required to attend Commission-sponsored training. Staff and members are also strongly encouraged to host and/or participate in national service events. With the exception of the Program Directors' Training, where travel costs are reimbursed with designated Commission funds, travel and other costs necessary to attend and participate in the remaining events should be reflected in the budget under Member Travel and Staff Travel.

Program Directors' Training (Required of Program/ Fiscal staff)	July 2020
National Day of Service and Remembrance (Program staff and Members)	September 11, 2020
MLK Day of Service (Program staff and Members)	January 20, 2021
AmeriCorps Opening Day (Program staff and Members)	September 2020
Life After AmeriCorps (Members)	April 2021

9. Subawards issued by VDSS as a result of this RFA and selection by CNCS must adhere, at a minimum, to the following federal and state program and compliance requirements:

- a. AmeriCorps regulations at [45 CFR §§ 2520-2550](#)
- b. CNCS FY 2019 General and Specific Grant and Cooperative Agreement Terms and Conditions found in Appendices V and VI * Subject to Update by CNCS.
- c. 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards available online at: https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl

10. Audits

Under III. B. Financial Management Standards in FY 2019 General Grant and Cooperative Agreement Terms and Conditions (Appendix V) and 2 CFR Part 200, recipient organizations that expend \$750,000 or more in total Federal awards in a fiscal year shall have a single or program-specific audit conducted for that year in accordance with the Single Audit Act, as amended, 31 U.S.C. 7501, et seq., and 2 CFR Part 200, Subpart F. *As pass-through entity, the VDSS strongly encourages subrecipients not meeting the single audit threshold to obtain, at a minimum, a review of financial statements in conformance with Statements on Standards for Accounting and Review Services (SSARS) performed by an independent auditor.*

E. Funding Restrictions & Unallowable Activities

1. Pre-award costs

Under 2 CFR Part 200.458, pre-award costs are those costs incurred prior to the effective date of the Federal award directly pursuant to the negotiation and in anticipation of the Federal award where such costs are necessary for efficient and timely performance of the scope of work. Should an applicant determine that its program design necessitates incurring costs prior to the official award state date, a preliminary request for approval of pre-award costs must be submitted to Virginia Service Commission on letterhead as an attachment. Consideration and final approval for pre-award costs must be granted by CNCS. A formal notification to the subrecipient will be provided.

2. Administrative/ Indirect Costs

Administrative costs are general or centralized expenses of the overall administration of an organization that receives CNCS funds and do not include particular project costs. These costs may include administrative staff positions. Under section 121(d) of the NCSA and CNCS's regulations at 45 CFR 2521.95 and 2540.110, **no more than five percent of award funds** may be used to recover indirect costs from the CNCS Share of the AmeriCorps budget.

- a. Applicants who hold a federally-approved negotiated indirect cost rate agreement (NICRA) may apply their approved rate up to the allowable five (5%) percent from the CNCS Share. For rates in excess of five percent, the difference between the five percent and the approved indirect cost rate may be allocated to Grantee Share in the budget. **Applicants who will be claiming indirect costs on CNCS awards are required to enter rate information in eGrants according to instructions in Attachment J of the ASN Application Instructions (Appendix III).**
- b. Applicants without a NICRA, may recover indirect costs in the application budget through one of the following methods:
 - i. Corporation (CNCS) Fixed Percentage Method (also known as Five/Ten Percent Fixed Administrative Costs Option)
This method allows the applicant to charge administrative costs up to a cap without a federally approved indirect cost rate and without documentation supporting the allocation. If this method is chosen, the applicant may charge, for administrative costs, a fixed 5% of the total of the

CNCS funds expended. In order to charge this fixed 5%, the grantee match for administrative costs may not exceed 10% of all direct cost expenditures. See description of calculation in Attachment B. Detailed Budget Instructions of Appendix III ASN Application Instructions.

ii. 10% de Minimis Rate

Applicants who will be claiming indirect costs on CNCS awards using the 10% de minimis rate of modified total direct costs are required to enter this selection in eGrants according to instructions in Attachment J of the ASN Application Instructions (Appendix III).

Commission Fixed Percentage

The Virginia Service Commission will retain a Commission fee equal to 1% of CNCS funds expended during the program year. This fee must be included in the Commission Fixed Percentage line of the Administration/ Indirect Cost section of the budget. Commission fees are invoiced to subrecipients at the end of the program year. See description of calculation in Attachment B. Detailed Budget Instructions of Appendix III ASN Application Instructions.

3. Worker's Compensation

Worker's Compensation coverage is required for all AmeriCorps Members regardless of slot type. Coverage is administered by the Commonwealth of Virginia through VDSS and is invoiced to subrecipients at the end of the program year. **Worker's compensation coverage of \$50 per member must be included in the Member Support Costs section of the budget.**

4. Unallowable Activities- Member Prohibited Activities

While charging time to the AmeriCorps program, accumulating service or training hours, or otherwise performing activities supported by the AmeriCorps program or CNCS, staff and members may not engage in the following activities (see 45 CFR § 2520.65):

1. Attempting to influence legislation;
2. Organizing or engaging in protests, petitions, boycotts, or strikes;
3. Assisting, promoting, or deterring union organizing;
4. Impairing existing contracts for services or collective bargaining agreements;
5. Engaging in partisan political activities, or other activities designed to influence the outcome of an election to any public office;
6. Participating in, or endorsing, events or activities that are likely to include advocacy for or against political parties, political platforms, political candidates, proposed legislation, or elected officials;
7. Engaging in religious instruction, conducting worship services, providing instruction as part of a program that includes mandatory religious instruction or worship, constructing or operating facilities devoted to religious instruction or worship, maintaining facilities primarily or inherently devoted to religious instruction or worship, or engaging in any form of religious proselytization;
8. Providing a direct benefit to— a. a business organized for profit; b. a labor union; c. a partisan political organization; d. a nonprofit organization that fails to comply with the

- restrictions contained in section 501(c)(3) of the Internal Revenue Code of 1986 related to engaging in political activities or substantial amount of lobbying except that nothing in these provisions shall be construed to prevent participants from engaging in advocacy activities undertaken at their own initiative; and e. an organization engaged in the religious activities described in paragraph C. 7. above, unless CNCS assistance is not used to support those religious activities;
9. Conducting a voter registration drive or using CNCS funds to conduct a voter registration drive;
 10. Providing abortion services or referrals for receipt of such services; and
 11. Such other activities as CNCS may prohibit.

AmeriCorps members may not engage in the above activities directly or indirectly by recruiting, training, or managing others for the primary purpose of engaging in one of the activities listed above. Individuals may exercise their rights as private citizens and may participate in the activities listed above on their own initiative, on non-AmeriCorps time, and using non-CNCS funds.

5. Other unallowable activities are outlined on Page 9 of the 2020 AmeriCorps State & National Mandatory Supplemental Guidance (Appendix II).

Section III. Eligibility Information

A. Eligible Applicants:

The following non-federal entities (as defined in 2 CFR §200.69) that have DUNS numbers and are registered in System for Award Management (SAM) are eligible to apply:

- Indian Tribes (2 CFR §200.54)
- Institutions of higher education (2 CFR §200.55)
- Local governments (2 CFR §200.64)
- Nonprofit organizations (2 CFR §200.70)
- States (2 CFR §200.90)

B. Other Eligibility Requirements Under Section 132A(b) of the National and Community Service Act of 1990, as amended:

- Organizations that have been convicted of a federal crime may not receive assistance described in this Notice.
- Applications that propose to engage in activities that are prohibited under CNCS's statutes, regulations, or the terms and conditions of its awards are not eligible to receive CNCS funding.
- If CNCS is aware that any corporation has any unpaid federal tax liability—
 - that has been assessed
 - for which all judicial and administrative remedies have been exhausted or have lapsed

- that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability— that corporation is not eligible for an award under this Notice. However, this exclusion will not apply to a corporation which a federal agency has considered for suspension or debarment and has made a determination that suspension or debarment is not necessary to protect the interests of the federal government.
- Pursuant to the Lobbying Disclosure Act of 1995, an organization described in the Internal Revenue Code of 1986, 26 U.S.C. 501 (c)(4) that engages in lobbying activities is not eligible to apply for CNCS funding.

Section IV. Application Submission Information

- A. This RFA must be read together with the AmeriCorps Regulations at [45 CFR §§ 2520-2550](#), the CNCS Notice of Funding Opportunity issued on September 12, 2019 (Appendix I), 2020 AmeriCorps State & National Mandatory Supplemental Guidance (Appendix II), Application Instructions (Appendix III), and the CNCS Performance Measures Instructions AmeriCorps State and National 2020 (Appendix IV).
- B. Application Date and Time of Submittals: **In order to be considered for selection, an applicant is to submit a complete response to this RFA in eGrants no later than 11:59pm EST on January 22, 2020.** Responses received after the submission due date and time will not be accepted.

*Request for Applications (RFA) and Subaward Schedule with Deadlines (subject to change)**

CNCS Releases NOFO	September 12, 2019
VDSS Releases Formula RFA	December 12, 2019
Optional Pre-application Conference Call	January 3, 2020
Responses to Outstanding Questions Issued by VDSS (if applicable)	January 8, 2020
Notice of Intent to Apply Due (Optional)	January 9, 2020
Deadline for Applications to VDSS (Submission in eGrants with additional documents to VDSS)	January 22, 2020
VDSS Application Review Panel Convenes	Week of March 5, 2020
Governor's Advisory Board Meeting- Consideration and approval of Formula Portfolio	April 2020
Technical Enhancements to Applications (VSC Staff with Applicants)	April 2020
Deadline for VDSS Application Package to CNCS	May 29, 2020
CNCS Formula Award Notification	June 26, 2020
VDSS Initiates Subaward Process	July 2020
Subaward Performance Period Begins	Approved Performance Start

C. Application Submission:

Applications will not be accepted by email or hard copy submission. All applicants must submit their applications electronically via the Corporation for National and Community Service (CNCS) web-based system, eGrants. It is recommended that applicants create an eGrants account and begin the application creation process as soon as possible before the deadline. *New applicants will need to establish an eGrants account by accessing this link: <https://egrants.cns.gov/espan/main/login.jsp> and selecting “Don’t have an eGrants account? Create an account.” Once created, applicants should select **Grant Appl ID # 20AC220339** to create a subapplication in eGrants for this funding opportunity.

Applicants must comply with the page limits described in detail on Page 8 of the CNCS NOFO (Appendix I). It is recommended that applicants draft an application as a Word document and copy and paste the document into the appropriate eGrants fields no later than 10 days before the deadline. Please note the length of a document in word processing software may be different than what will print out in eGrants. Following the deadline for submissions, VDSS will review each application to determine if it meets the minimum criteria for consideration.

Upon completion of your application in e-Grants, all applicants must submit by e-mail to americorpsinfo@dss.virginia.gov a screenshot of the completion notice in e-Grants and the required VDSS documents outlined in Section V. Application Format, Content and Required Forms. The subject line of the email should be the name of the applicant organization and the word “screenshot.”

D. Application Preparation Instructions:

1. Applications shall be signed by an authorized representative of the applicant. Failure to submit all information requested will result in the submission being deemed non-responsive to the requirements of this RFA and ineligible for further evaluation. Mandatory requirements are those required by law or regulation or are such that they cannot be waived and are not subject to negotiation.
2. Applications should be prepared simply and economically, providing a straightforward, concise description of capabilities to satisfy the requirements of the RFA. Emphasis should be placed on completeness and clarity of content.
3. Ownership of all data, materials, and documentation originated and prepared for the State pursuant to the RFA shall belong exclusively to the State and be subject to public inspection in accordance with the *Virginia Freedom of Information Act*. Trade secrets or proprietary information submitted by an applicant shall not be subject to public disclosure under the *Virginia Freedom of Information Act*; however, the applicant must invoke the protections of § 2.2-4342F of the *Code of Virginia*, in writing, either before or at the time the data or other material is submitted. The written notice must specifically identify the data or materials to be protected and state the reasons why protection is necessary. The proprietary or trade secret material submitted must be identified by some distinct method such as highlighting or underlining and must indicate only the specific words, figures, or paragraphs that constitute trade secrets or proprietary information. The classification of an entire application document, line item prices, and/or total

proposal prices as proprietary or trade secrets is not acceptable and will result in rejection of the application. If, after being given reasonable time the applicant refuses to withdraw an entire classification designation, the application will be rejected.

- E. **Deadline for Questions Concerning Application Requirements and Documents:** If any prospective applicant has questions about the specifications or other application documents, the prospective applicant should contact the contract officer indicated below no later than five working days before the application due date. Any revisions to the solicitation will be made only by addendum issued by the contract officer.

Contract Officer: Mr. Danilo Vasquez

Phone Number: (804) 726-7185

Email: danilo.vasquez@dss.virginia.gov

Section V. Application Format, Content and Required Forms

Application Content and Required Forms: The following are the required components of an application that must be submitted in eGrants. Additional related documents that are to be sent separately to VDSS are outlined in XI. Application Documents to VDSS.

Applicants are responsible for reading the technical instructions for completing each section in the State and National Competitive New and Continuation Application Instructions found in Appendix III of this RFA.

- I. Applicant Info
- II. Application Info
- III. Narratives (15 pages max. unless Rural Intermediary)
 - a. Executive Summary
 - b. Program Design
 - c. Organizational Capability
 - d. Cost Effectiveness and Budget Adequacy
- IV. Logic Model (3 pages max.) *Optional for Planning Grant applications*
- V. Performance Measures *Not applicable for Planning Grant applications*
- VI. Program Information
- VII. Documents
- VIII. Standard Form (SF) 424 Budget
- IX. Funding/Demographics
- X. Review
- XI. Authorize, and Submit

I. Applicant Info

Information entered in the Applicant Info and Budget sections will populate the SF 424 Facesheet.

II. Application Info

In the Application Info Section enter:

- Areas affected by your proposed program. Please include the two-letter abbreviation with both letters capitalized for each state where you plan to operate. Separate each two-letter state abbreviation with a comma. For city or county information, please follow each one with the two-letter capitalized state abbreviation.
- Requested project period start and end dates. The length of the project period is specified in the *Notice*.
- The Application is Subject to Review by State Executive Order 12372 Process: This is pre-filled as “No, this is not applicable.”
- Indicate Yes or No if you are delinquent on any federal debt. If yes, provide an explanation.
- State Application Identifier: Enter N/A.

III. Narrative

The narrative section of the application is your opportunity to convince reviewers that your project satisfies the Application Evaluation criteria in this RFA. In eGrants, you will enter text for:

- Executive Summary
- Rationale and Approach (Program Design)
- Organizational Capability
- Cost Effectiveness and Budget Adequacy

IV. Logic Model

Complete the logic model using the guidance provided in the Notice. To begin entering your logic model, from your eGrants application page select “Logic Model” in the left side navigation menu. *This is optional for planning grant applications.*

V. Performance Measures

All applicants must submit performance measures with their application. See Application Instructions for instructions for entering performance measures, and see the National Performance Measures Instructions for details about the number and type of performance measures required. *This is not applicable for planning grant applications.*

VI. Documents

In addition to the application submitted in eGrants, you are required to provide your evaluation, labor union concurrence (if necessary – see B., below), other required documents listed in the Notice (if applicable), and an explanation of federal debt delinquency (if applicable), as part of your application.

VII. Budget Instructions

Reviewers will consider the information you provide in this section in their assessment of the Cost-Effectiveness and Budget Adequacy selection criterion. Applicants must follow the instructions found in Attachment B. Detailed Budget Instructions for Cost Reimbursement Grants of Appendix III 2020 ASN Application Instructions. The proposed budget must be adequate to allow you to perform the tasks described in your narrative and comply with the requirements of 2 CFR Part 200 [Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards](#). The AmeriCorps Budget

Worksheet Tool (Appendix VII) can be used to draft a compliant budget. This worksheet should not be submitted with the application.

VIII. Funding/Demographics

In the Funding/Demographics Section enter:

- Other Revenue funds
- Number of Volunteers Generated by AmeriCorps members

IX. and X. Review, Authorize, and Submit

eGrants requires that you review and verify your entire application before submitting, by completing the following sections in eGrants: 1.) Review; 2.) Authorize; 3.) Assurances; 4.) Certifications; 5.) Verify; and 6.) Submit.

XI. Application Documents to VDSS

Upon completion of your application in e-Grants, all applicants must submit by e-mail to americorpsinfo@dss.virginia.gov a screenshot of the submission notice in e-Grants and these required VDSS documents. All documents are required of planning grant applicants unless otherwise indicated. The subject line of the email must be the name of the applicant organization and the word “screenshot.”

1. RFA Addenda: Sign and return all RFA addenda acknowledgments (if applicable)
2. Certification of Organization Authorization (Attachment A)
3. Certification of Availability of Matching Funds (Attachment B)
4. Certification of Approval of Use of Federal Funds (Attachment C)
5. Certification Regarding Lobbying (Attachment D)
6. FFATA Form (Attachment E)
7. Assurances for Non-Construction Programs (SF-424B) (Attachment F)
8. W-9 Request for Taxpayer Identification Number and Certificate (Attachment G)
9. State Corporation Commission Form (Attachment H)
10. Electronic Data Interchange Form (Attachment I)
11. CNCS Financial Management Survey (Attachment J)
12. Organizational Capacity Assessment (Attachment K)
13. Copy, or identification of link to, applicant’s most recent audit, review or compilation completed by an independent auditor. If applicant does not meet the single audit threshold, unaudited year-end financial statements must be submitted.
14. Current Indirect Cost Rate Agreement (if applicable)
15. Request for Approval of Pre-award Costs on letterhead (if applicable) * N/A for Planning Grants
16. For rural intermediary organizations or those with multiple sites, letters of agreement or similar documents with external AmeriCorps partners * N/A for Planning Grants

Additional Documents for Non-profit 501(c)(3) Applicants:

17. Certification of 501(c)(3) Status from the IRS

18. Organizational By-laws
19. Organizational Chart
20. Organization's IRS Form 990 with schedules for the most recently-completed fiscal year
21. Letter from the applicant's agency head, finance director, or treasurer (with signature) indicating that the agency understands that this is a reimbursable grant and that the applicant has sufficient funds available to cover three months of expenses prior to reimbursement.

Section VI. Application Review Information

A. Risk Assessment Evaluation of Applicant Organizations

Prior to proceeding to a panel review where the quality of applications is evaluated, a risk assessment evaluation of each applicant organization will be performed. VSC staff will evaluate the risks posed to Virginia's AmeriCorps State Program by each applicant, including an assessment of the applicant organization's board governance structure and oversight, its capacity to meet the financial management and administrative standards outlined in 2 CFR Part 200 OMB Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards and the results of past compliance reviews, if a prior or existing AmeriCorps subgrantee. As a result of the review, the applicant organization will receive an *Acceptable Risk* level or *Unacceptable Risk* level determination:

Acceptable Risk- Number and severity of risks within the organization are minimal; risks are present in areas which are likely to respond to enhanced training and technical assistance; risks can be properly mitigated by additional conditions on the subaward and without undue burden placed on VSC staff; risks do not place the AmeriCorps State portfolio and VDSS at high-risk for cost disallowances and Office of Inspector General (OIG) audits.

Unacceptable Risk- Multiple areas of risk and/or risks with a high level of severity are present within the organization; risks cannot be reasonably mitigated through enhanced training and technical assistance or by placing additional conditions on the subaward; the level of risk places an undue burden on VSC staff; risks place the AmeriCorps State portfolio and VDSS at high-risk for cost disallowances and Office of Inspector General (OIG) audits.

An applicant organization must receive an Acceptable Risk level determination in order for their application to be scored under the Application Evaluation Criteria. The results of risk assessments will be shared with applicant organizations following the award process, if requested. If VSC determines that an award will be made to an applicant with assessed risks, special conditions that correspond to the degree of assessed risk may be applied to the award. The Virginia Service Commission may be asked to submit assessments to CNCS for further evaluation.

In evaluating risks, VSC will specifically consider the following criteria and supporting documentation:

- Fiduciary responsibility exercised by board or oversight body

- Financial stability
- Financial capability and capacity to manage Federal awards on a cost-reimbursement basis
- Quality of management systems and ability to meet the management standards prescribed in 2 CFR Part 200
- Record in managing previous federal and CNCS awards, cooperative agreements, or procurement awards, including:
 - Timeliness of compliance with applicable reporting requirements
 - Accuracy of data reported
 - Meeting matching requirements
 - The extent to which any previously awarded amounts will be expended prior to future awards
 - Conformance to the terms and conditions of previous federal awards
 - Results of compliance reviews including site visit or other monitoring findings (if applicable)
- Reports and findings from single audits required under 2 CFR Part 200 and findings resulting from other available audits or investigations, including Office of Inspector General findings if applicable
- Organizational Chart
- IRS Tax Form 990
- Applicant organization's most recent annual report
- Responses to the Financial Management Survey, Organizational Capacity Assessment with supporting documentation
- Information available through OMB-designated repositories of government-wide eligibility qualification or financial integrity information

B. Panel Review of Applications

In addition to the risk level determination, a preliminary review of applications for adherence to the RFA guidelines, including applicant eligibility, will be completed by the VDSS contracts officer. Those applications failing to provide the required information will be deemed non-responsive and removed from consideration at the discretion of VDSS.

Responsive applications from eligible organizations will be evaluated by a review panel comprised of Governor's Advisory Board members and VSC staff who will score applications to determine the degree to which applications are aligned with the application evaluation criteria. Before commencing with the evaluation, a briefing will be provided to the evaluation panel identifying applicant organizations, if any, whose applications: 1.) were not advanced to scoring due to an Unacceptable Risk determination and summarizing the basis for the determination; and/or 2.) were deemed non-responsive to RFA guidelines.

The Commission reserves the right to negotiate funding amounts and award funding at a lower level than the applicant's funding request. The Commission also reserves the right to recommend an applicant for a planning grant, in lieu of an operational grant, if it assesses that the applicant, the program design, and/or the quality of AmeriCorps service would benefit from additional planning prior to the start of operations.

C. Application Evaluation Criteria

The following criteria will be applied to the review of applications under this RFA:

Categories/Subcategories	Operational Awards	Categories/Subcategories	Planning Grants
Executive Summary	0	Executive Summary	0
Program Design	42	Program Design	70
Theory of Change and Logic Model	24	Need	10
Evidence Base	12	Program Model	30
Member Experience	6	Planning Process	30
Organizational Capacity	33	Organizational Capacity	20
Organizational Background and Staffing	9		
Compliance and Accountability	12		
Culture That Values Learning	4		
Member Supervision	8		
Cost Effectiveness and Budget Adequacy	25	Cost Effectiveness and Budget Adequacy	10
TOTAL	100		100
Past Performance (Maximum 10 point reduction)			

A. Executive Summary (Required - 0 percent)

Please fill in the blanks of these sentences to complete the Executive Summary. Do not deviate from the template below.

The [Name of the organization] proposes to have [Number of] AmeriCorps members who will [service activities the members will be doing] in [the locations the AmeriCorps members will serve]. At the end of the first program year, the AmeriCorps members will be responsible for [anticipated outcome of project]. In addition, the AmeriCorps members will leverage [number of leveraged volunteers, if applicable] who will be engaged in [what the leveraged volunteers will be doing.]

This program will focus on the CNCS focus area(s) of [Focus Area(s)]. The CNCS investment of \$[amount of request] will be matched with \$[amount of projected match], \$[amount of local, state, and federal funds] in public funding and \$[amount of non-governmental funds] in private funding.*

*If the program is not operating in a CNCS focus area, omit this sentence.

B. Program Design (42 percent)

1. Theory of Change and Logic Model (24 points)

The Theory of Change shall address:

- The proposed intervention is responsive to the identified community problem. Assume the reader knows nothing about your program.

- The applicant's proposed intervention is clearly articulated including the design, dosage, target population, and roles of AmeriCorps members and (if applicable) leveraged volunteers. Provide a clear explanation and model. Be explicit with the description of member activities and the rationale for selecting those activities.
- The applicant's intervention is likely to lead to the outcomes identified in the applicant's theory of change.
- The expected outcomes articulated in the application narrative and logic model represent meaningful progress in addressing the community problem identified by the applicant.
- The rationale for utilizing AmeriCorps members to deliver the intervention(s) is reasonable.
- The service role of AmeriCorps members will produce significant contributions to existing efforts to address the stated problem.

The Logic Model shall depict:

- A summary of the community problem.
- The inputs or resources that are necessary to deliver the intervention, including but not limited to:
 - Locations or sites in which members will provide services
 - Number of AmeriCorps members who will deliver the intervention
- The core activities that define the intervention or program model that members will implement or deliver, including:
 - The duration of the intervention (e.g., the total number of weeks, sessions or months of the intervention)
 - The dosage of the intervention (e.g., the number of hours per session or sessions per week)
 - The target population for the intervention (e.g., disconnected youth, third graders at a certain reading proficiency level)
- The measurable outputs that result from delivering the intervention (i.e. number of beneficiaries served, types and number of activities conducted.) If applicable, identify which National Performance Measures will be used as output indicators
- Outcomes that demonstrate changes in knowledge/skill, attitude, behavior, or condition that occur as a result of the intervention. If applicable, identify which National Performance Measures will be used as outcome indicators.

Note: The logic model is a visual representation of the applicant's theory of change. Programs may include short, medium or long-term outcomes in the logic model. Applicants are not required to measure all components of their theory of change. The applicant's performance measures should be consistent with the program's theory of change and should represent significant program activities.

In the application narrative, applicants should discuss their rationale for setting output and outcome targets for their performance measures. Rationales and justifications should be informed by the organization's performance data (e.g., program data observed over time that suggests targets are reasonable), relevant research (e.g. targets documented by organizations running similar programs with similar populations), or prior program evaluation findings. Applicants with multiple interventions should complete one Logic Model chart which incorporates each intervention. Logic model content that exceeds three pages will not be reviewed.

2. Evidence Base (12 points)

The Virginia Service Commission expects programs seeking an AmeriCorps grant to demonstrate that their proposed intervention is guided by strong research and evidence that supports its effectiveness. There should be evidence that the proposed intervention will lead to the desired outcomes, and that the proposed intervention is effective for the target population and community need identified.

Applicants should clearly explain how their AmeriCorps grant will engage AmeriCorps members in evidence-based or evidence-informed interventions/practices to strengthen communities.

“Evidence-based practices are approaches to prevention or treatment that are validated by some form of documented scientific evidence. This includes findings established through controlled clinical studies, but other methods of establishing evidence are valid as well.

Evidence-based programs use a defined curriculum or set of services that, when implemented with fidelity as a whole, has been validated by some form of scientific evidence. Evidence-based practices and programs may be described as "supported" or "well-supported", depending on the strength of the research design.

Evidence-informed practices use the best available research and practice knowledge to guide program design and implementation. This informed practice allows for innovation while incorporating the lessons learned from the existing research literature. Ideally, evidence-based and evidence-informed programs and practices should be responsive to families' cultural backgrounds, community values, and individual preferences.”

(<https://www.childwelfare.gov/topics/management/practice-improvement/evidence/ebp/definitions/>)

- Clearly explain the evidence behind the model that your program will use to achieve its desired outcomes. Provide research (including links to the research report(s) and to clearinghouse assessments, if available) that proves your proposed model and interventions actually work in similar circumstances with similar populations. The research you provide should be in line with these considerations:

Similar: Cites comparable intervention with similar beneficiaries and results

Significant: Findings show that the program had a positive and statistically significant effect on beneficiaries

Up-to-date: Recently published or most recent available

High Quality: Use well-implemented and appropriate research methodologies given the research questions of interest

Reputable: Source with no stake in outcome and published in a peer reviewed journal or by credible organization

- Clearly explain how your program will be implemented with fidelity to the evidence-based / evidence-informed model across all sites. (include population, curriculum, dosage, etc.) Explain areas where your program will intentionally deviate from the researched approach.

Examples of clearinghouses for evidence-based and evidence-informed programs:
<https://www.nationalservice.gov/documents/main-menu/2016/clearinghouses-and-evidence-reviews>
<https://2018.results4america.org/criteria/common-evidence-standards-works-designations/>
<https://www.acf.hhs.gov/opre/research-and-evaluation-clearinghouses>
<https://preventionservices.abtsites.com/>

3. Member Experience (6 points)

- AmeriCorps members will gain skills as a result of their training and service that can be utilized and will be valued by future employers after their service term is completed.
- The program will recruit AmeriCorps members from the geographic or demographic communities in which the programs operate.
- The applicant will foster an inclusive service culture where different backgrounds, talents, and capabilities are welcomed and leveraged for learning and effective service delivery.

C. Organizational Capability (33 percent)

1. Organizational Background and Staffing (9 points)

- The organization details the roles, responsibilities, and structure of the staff that will be implementing the AmeriCorps program as well as providing oversight and monitoring for the program.

2. Compliance and Accountability (12 points)

- The organization has a monitoring and oversight plan to prevent and detect non-compliance and enforce compliance with AmeriCorps rules and regulations including those related to prohibited and unallowable activities and criminal history checks at the grantee, subgrantee (if applicable), and service site locations.

3. Culture that Values Learning (4 points)

- The applicant's board, management, and staff collect and use information, including performance data, for learning and decision making.

4. Member Supervision (8 points)

- AmeriCorps members will receive sufficient guidance and support from their supervisor to provide effective service.
- AmeriCorps supervisors will be adequately trained/prepared to follow AmeriCorps and program regulations, priorities, and expectations.
- Evidence that a plan exists for providing guidance and training to members and supervisors and for monitoring member supervision

D. Cost Effectiveness and Budget Adequacy (25 percent)

This criteria will be assessed based on the budget submitted. **No narrative should be entered in the narrative box except for “See budget”**

1. Cost Effectiveness and Budget Adequacy (25 points)

- Budget is submitted without mathematical errors and proposed costs are allowable, reasonable, and allocable to the award.
- Budget is submitted with adequate information to assess how each line item is calculated.
- Budget is in compliance with the budget instructions.
- Match is submitted with adequate information to support the amount written in the budget.
- The budgeted match is equal to or more than the required match for the given program year.
- The cost per MSY is equal to or less than the maximum cost per MSY.
- National Service Criminal History Checks are budgeted **in CNCS Share** at \$55.75 per member consisting of the following: Truescreen NSOPW @ \$7.50; Truescreen Out-of-state @ \$19.50+ (Depends on state) and Fieldprint FBI @ \$28.75. See D. Program Requirements 7. National Service Criminal History Check Requirements.
- National service events (Member and/or Staff Travel) are budgeted accordingly. See D. Program Requirements 8. Virginia Service Commission Training and National Service Events

Applicants must complete the budget and ensure the following information is in the budget screens:

- Current indirect rate cost rate information if used to claim indirect/administrative costs.
- Identify the non-CNCS funding and resources necessary to support the project, including for Fixed Amount applicants.
- Indicate the amount of non-CNCS resource commitments, type of commitments (in-kind and/or cash), the sources of these commitments, and if the commitments are proposed or secured.

E. Past Performance (Maximum 10 point reduction)

Applicants, who are current or former subgrantees of AmeriCorps subawards, that failed to achieve performance measures or other benchmarks, or demonstrated significant or repeated programmatic or fiscal deficiencies, may have a reduction of up to 10 points from the total score. Some factors include, but are not limited to:

- Failure to enroll or exit members in a timely manner and fill all member slots requested;
- Poor member retention;
- Lack of compliance with programmatic and fiscal reporting requirements, including timeliness;
- Poor member management, including deficient member files and timesheet reporting, and substantial negative feedback from member surveys; and
- Lack of full compliance with NSCHC requirements.

PLANNING GRANT APPLICATION COMPONENTS & EVALUATION CRITERIA ONLY

AmeriCorps planning grants provide successful applicants with resources needed to develop program components and to build operational capacity critical to managing an AmeriCorps grant. Subgrantees will receive training and technical assistance from Virginia Service Commission staff to strengthen their AmeriCorps program design and to create implementation plans and systems for managing a compliant AmeriCorps program. Key program components include:

1. Theory of Change/Logic Model
2. Evidence Base for Intervention
3. Positive Member Experience
4. Performance Measures
5. Service Site Locations
6. Program Budget
7. Program Staffing and Management Structure
8. Partnership Development and Management
9. Member Support and Management
10. Compliance and Accountability Plans
11. Plans to Secure Match Funding
12. Data Collection Plan

A. Executive Summary (Required - 0 percent)

In one paragraph, provide a brief summary that includes a synopsis of the program design, focus area, communities to be served, the principal activities to be undertaken during the planning grant performance period, and the funding amount requested.

B. Program Design (70 percent)

Reviewers will consider the quality of the proposal's response to the criteria below.

1. Need (10 points)

- Describe the community need you plan to address with your AmeriCorps program and provide evidence substantiating need.
- Describe why a planning grant would help prepare your organization in addressing the need and what you hope to achieve during the one-year planning grant performance period.

2. Program Model (30 points)

- Explain how AmeriCorps members are a highly effective means to solve the community need or problem.
- Describe the activities in which you propose to engage AmeriCorps members and how those activities will connect to the identified community need(s).
- Describe where you expect AmeriCorps members to serve, as well as how AmeriCorps members would be supervised.

- Provide an estimate of how many AmeriCorps members your program would support and whether they would serve on a full-time or part-time basis. (Note: Virginia Service Commission prefers to fund programs that engage at least 10 members each year.)
- Explain how AmeriCorps members will be addressing an unmet need and will not be duplicating or displacing any current staff, volunteers, or other services.

3. Planning Process (30 points)

Provide a description of your planning process which includes specific deliverables for planning activities and a schedule for completion. Deliverables should be selected that can be reasonably achieved within nine months of the performance period. Once awarded, VSC staff will work with the subgrantee to craft a detailed scope of work.

Some examples of planning activities include:

- Identifying or developing an evidence-based program model.
- Defining appropriate AmeriCorps member activities to address the identified community need.
- Defining the desired characteristics of AmeriCorps members and developing a recruitment strategy.
- Developing a performance measurement system to ensure that reliable data is gathered to demonstrate impact on the communities to be served.
- Creating a process for selecting operating and host sites (if applicable) that will ensure the most appropriate and capable organizations are selected.
- Seeking the training and technical assistance needed in order to plan and manage an effective, compliant AmeriCorps program identifying existing staff or contractual personnel that will assist with the planning process.

C. Organizational Capability (20 percent)

Describe your organization's ability to successfully plan an AmeriCorps program, including but not limited to:

- Primary and secondary contacts for the grant application and their current role and experience.
- The amount of time staff member(s) will support the program during the planning grant.
- Prior experience administering federal funds.
- Prior experience in the proposed area of programming.
- The management and staff structure and the roles the board of directors, administrators, and staff will play in the planning process.
- Identify any existing partners and plans to engage community members and partner organizations in the planning process.

D. Cost Effectiveness and Budget Adequacy (10 percent)

Cost effectiveness and budget adequacy will be assessed based on the budget submitted.

- Describe the amount and sources of match secured to date, and any plans to secure additional match by the project start date if needed.
- Describe your plans to develop a cost-effective program, including how you will develop diverse resources that will support your program implementation and sustainability.
- Discuss the adequacy of your budget to support the planning process including your match.

- Budget is submitted without mathematical errors and proposed costs are allowable, reasonable, and allocable to the award.
 - The budgeted match is equal to or more than the required match for the given program year.
-

Section VII. Subaward Reporting Requirements

- A. The subrecipient shall produce the following reports of financial and programmatic activities and services in formats determined by the Virginia Service Commission. The Commission may require additional reports as deemed necessary to effectively manage subawards.

Financial Reports:

- Monthly Periodic Expense Reports (PERs) are due by the 10th of each month for the previous month's financial activity and must be entered into OnCorps, or a comparable reporting system. The PER serves as the subrecipient's invoice to VDSS for monthly cost reimbursement. **A transaction report produced from the subgrantee's accounting system sufficiently identifying AmeriCorps charges must be submitted with each PER.** VSC staff may periodically request supporting documentation substantiating charges on PERs.
- Aggregate Financial Reports (AFR) for quarterly financial activity are due on October 10, 2020, January 10, 2021, April 10, 2021, July 10, 2021, and September 10, 2021 respectively, and must be entered into OnCorps. Note: Depending on the program start dates, reports for five quarters may be required.
- Budget modifications must be requested through OnCorps during the period of performance with a clear narrative explaining the conditions that prompted the budgetary changes. No budget modifications will be considered within 60 days of the end of the period of performance.

Program / Operations Reports:

Quarterly Grantee Progress Reports (GPR) are submitted through OnCorps and are due by October 10, 2020, January 10, 2021, April 10, 2021, July 10, 2021, and September 10, 2021 for the most recent quarter. Information reported includes the following:

- Performance Measures Progress
- Demographics
- Service and Volunteer Report (if applicable to your program design)
- Successes and Challenges
- Great Stories; and
- End-of-Year Virginia Grantee Progress Report

Section VIII. Subaward Administrative Requirements

A. **RENEWAL OF AGREEMENT**: This agreement may be renewed by the grantee upon written agreement of both parties for two years (two successive one year periods), under the terms of the current agreement, and at a reasonable time (approximately 90 days) prior to the expiration.

B. **MODIFICATION OF AGREEMENT**: The grantee or subrecipient may modify this Agreement at any time provided that such modifications make specific reference to this Agreement, and are executed in writing, and signed by a duly authorized representative of both organizations. Such modifications shall not invalidate this Agreement, nor relieve the grantee or subrecipient from its obligations under this Agreement. The grantee may, in its discretion, amend this Agreement to conform with federal or state government guidelines, policies and available funding amounts, or for other reasons. If such modifications result in a change in funding, the scope of services, or schedule of activities to be undertaken as part of this Agreement, such modifications will be incorporated only by written modifications signed by both grantee and subrecipient.

C. **TERMINATION OF AGREEMENT**: This agreement may be terminated in whole or in part as follows (See §2 CFR 200.339):

1) Either party may terminate this Agreement at any time upon 30 days written notice to the other party. The subrecipient's written notification must set forth the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. Partial termination of the Scope of Services can only be undertaken with the prior approval of the grantee. In the event of any termination for convenience, at the grantee's option, all finished or unfinished documents, data, studies, surveys, photographs, reports, or other materials prepared by the subrecipient under this Agreement shall, at the option of the grantee, become the property of the grantee, and the subrecipient shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents or materials prior to termination.

2) The grantee may terminate this Agreement, in whole or in part at any time, if the subrecipient fails to comply with federal statutes, regulations, or terms and conditions of the Agreement. Upon receipt of a notice of termination the subrecipient shall stop all work and the grantee will cease all payments. The termination decision may be considered by the grantee in evaluating future applications submitted by the subrecipient.

3) If the federal awarding agency terminates its agreement with the grantee, the grantee shall terminate the Agreement with the subrecipient.

D. **EQUIPMENT**: Equipment is defined as an article of equipment equal to or in excess of \$5,000 and having a useful life of more than one year. Equipment purchased under the terms of this agreement shall be limited to equipment indicated in the approved budget incorporated in the agreement. The subrecipient shall keep written documentation of any acquisitions purchased and up-date the documentation if additional property or equipment is acquired. The written documentation shall include, but not be limited to: date of acquisition, description of product, serial number, ID number, physical

location, cost, and name and phone number of individual using or responsible for the equipment. Equipment purchased under this agreement shall be retained by the subrecipient during the period of performance of the agreement. No depreciation or use charges on equipment purchased under this contract shall be claimed on this or any future contract with the Commonwealth of Virginia or any of its agents.

If the grantee permits the subrecipient to purchase real property or equipment with grant funds, grantee retains a residual financial interest, enabling the grantee to recover the assets or determine final disposition. This will be accomplished on a case-by-case basis, according to the federal grant guidelines applicable to the grant that is funding the service(s).

E. **RECORDS ACCESS:** The federal awarding agency, Inspectors General, the Comptroller General of the United States, the grantee, and its authorized representatives shall have the right of access to any documents, papers, or other records of the subrecipient which are pertinent to this Agreement in order to make audits, examinations, excerpts, and transcripts. The right shall also include timely and reasonable access to the subrecipient's personnel for the purpose of interview and discussion related to such documents. (See § 200.336)

F. **RECORDS RETENTION:** The subrecipient shall retain all financial records, supporting documentation, statistical records, and all other records pertinent to this agreement for a period of three (3) years after the termination of all activities funded under this Agreement. Records for real property and equipment acquired with federal funds under this agreement shall be retained for three years after final disposition. Indirect cost rate computations or proposals must be retained in accordance with §200.333(f) of the OMB uniform guidance. Notwithstanding the above, if there is litigation, claims, audits, negotiations or other actions that involve any of the records cited and that have started before the expiration of the three-year period, then such records must be retained until completion of the actions and resolution of all issues, or the expiration of the three-year period, whichever occurs later. (See §200.333)

G. **SUBRECIPIENT MONITORING:** The grantee may monitor and evaluate the subrecipient's performance under the agreement through analysis of required reports, expenditure statements, site visits, interviews with or surveys of relevant agencies/ organizations and individuals having knowledge of the subrecipient's services or operations, audit reports, and other mechanisms deemed appropriate by the grantee. The subrecipient shall furnish the grantee on request information regarding payments claimed for services under this agreement. All accounting records must be supported by source documentation and retained in order to show for what purpose funds were spent. All such records shall be made available and produced for inspection when required by the grantee, its authorized agents, and/or federal personnel.

Should an audit by authorized state or federal officials result in disallowance of amounts previously paid to the subrecipient, the subrecipient shall reimburse the grantee upon demand.

Performance under this agreement shall be a primary consideration for extension of this agreement and may be a consideration in future grant awards and negotiations.

Section IX. Subaward General Conditions

A. **AUDIT:** The subrecipient shall retain all books, records, and other documents relative to this contract for three years after final payment, or until audited by the Commonwealth of Virginia, whichever is sooner. The agency, its authorized agents, federal and/or state auditors shall have full access to and the right to examine any of said materials during said period.

The subrecipient further agrees to comply with the audit and reporting requirements defined by the Office of Management and Budget (OMB) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards Subpart F – Audit Requirements, as applicable. A subrecipient who expends \$750,000 or more in combined federal funding during the subrecipient's fiscal year is required to have an independent audit performed annually in accordance with the provisions of these parts. The single audit report(s) package must be submitted on-line to the Federal Audit Clearinghouse (FAC) within the earlier of thirty calendar days after receipt of the auditor's report(s) by the subrecipient, or nine months after the end of the audit period. For specific questions and information concerning the submission process: Visit the Federal Audit Clearing House at [https://harvester.census.gov/facides/\(S\(ilywi5ipbj3rjov5zvulfnos\)\)/account/login.aspx](https://harvester.census.gov/facides/(S(ilywi5ipbj3rjov5zvulfnos))/account/login.aspx) or call FAC at the toll-free number: (800) 253-0696

B. **APPLICABLE LAWS AND COURTS:** This solicitation and any resulting contract shall be governed in all respects by the laws of the Commonwealth of Virginia, without regard to its choice of law provisions, and any litigation with respect thereto shall be brought in the circuit courts of the Commonwealth. The subrecipient shall comply with all applicable federal, state and local laws, rules and regulations.

C. **ANTI-DISCRIMINATION:** By submitting their applications, applicants certify to the Commonwealth that they will conform to the provisions of the Federal Civil Rights Act of 1964, as amended, as well as the Virginia Fair Employment Contracting Act of 1975, as amended, where applicable, the Virginians with Disabilities Act, the Americans with Disabilities Act and § 2.2-4311 of the *Virginia Public Procurement Act (VPPA)*. If the award is made to a faith-based organization, the organization shall not discriminate against any recipient of goods, services, or disbursements made pursuant to the contract on the basis of the recipient's religion, religious belief, refusal to participate in a religious practice, or on the basis of race, age, color, gender or national origin and shall be subject to the same rules as other organizations that contract with public bodies to account for the use of the funds provided; however, if the faith-based organization segregates public funds into separate accounts, only the accounts and programs funded with public funds shall be subject to audit by the public body. (*Code of Virginia*, § 2.2-4343.1E).

In every contract over \$10,000 the provisions in 1. and 2. below apply:

1. During the performance of this contract, the subrecipient agrees as follows:
 - a. The subrecipient will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational

qualification reasonably necessary to the normal operation of the subrecipient. The subrecipient agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

- b. The subrecipient, in all solicitations or advertisements for employees placed by or on behalf of the subrecipient, will state that such subrecipient is an equal opportunity employer.
 - c. Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.
 - d. The requirements of these provisions 1. and 2. are a material part of the contract. If the Subrecipient violates one of these provisions, the Commonwealth may terminate the affected part of this contract for breach, or at its option, the whole contract. Violation of one of these provisions may also result in debarment from State contracting regardless of whether the specific contract is terminated.
 - e. In accordance with Executive Order 61 (2017), a prohibition on discrimination by the subrecipient, in its employment practices, subcontracting practices, and delivery of goods or services, on the basis of race, sex, color, national origin, religion, sexual orientation, gender identity, age, political affiliation, disability, or veteran status, is hereby incorporated in this contract.
2. The subrecipient will include the provisions of 1. above in every subcontract or purchase order over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.

Faith-based organizations may request an exemption from subparagraph 1.e. above prior to the close date and time for receipt of applications. Such a request should be in writing and explain how subparagraph 1.e. violates the organization's written religious or moral convictions or policies. The request should be sent to the Contract Officer for the solicitation. For the purposes of this provision, a "faith-based organization" is (1) an entity organized for purposes of engaging in religious practice or (2) a charitable or educational organization affiliated with such an entity.

D. **ANTITRUST:** By entering into a contract, the subrecipient conveys, sells, assigns, and transfers to the Commonwealth of Virginia all rights, title and interest in and to all causes of action it may now have or hereafter acquire under the antitrust laws of the United States and the Commonwealth of Virginia, relating to the particular goods or services purchased or acquired by the Commonwealth of Virginia under said contract.

E. **ASSIGNMENT OF CONTRACT:** This contract shall not be assignable by the Subrecipient in whole or in part without written consent of the Commonwealth.

F. **AVAILABILITY OF FUNDS:** It is understood and agreed between the parties herein that the agency shall be bound hereunder only to the extent that the legislature has appropriated funds that are legally available or may hereafter become legally available for the purpose of this agreement.

G. **CONFIDENTIALITY OF PERSONALLY IDENTIFIABLE INFORMATION:** The subrecipient assures that information and data obtained as to personal facts and circumstances related to

patients or clients will be collected and held confidential, during and following the term of this agreement, and unless disclosure is required pursuant to court order, subpoena or other regulatory authority, will not be divulged without the individual's and the agency's written consent and only in accordance with federal law or the Code of Virginia. Subrecipients who utilize, access, or store personally identifiable information as part of the performance of a contract are required to safeguard this information and immediately notify the agency of any breach or suspected breach in the security of such information. Subrecipients shall allow the agency to both participate in the investigation of incidents and exercise control over decisions regarding external reporting. Subrecipients and their employees working on this project may be required to sign a confidentiality statement.

H. **DEBARMENT STATUS:** By submitting an application, the applicant certifies that they are not currently debarred by the Commonwealth of Virginia from submitting a response for the type of services covered by this Request for Applications. Applicant further certifies that they are not debarred from filling any order or accepting any resulting order, or that they are an agent of any person or entity that is currently debarred by the Commonwealth of Virginia.

I. **DRUG-FREE WORKPLACE:** During the performance of this contract, the subrecipient agrees to (i) provide a drug-free workplace for the subrecipient's employees; (ii) post in conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana is prohibited in the subrecipient's workplace and specifying the actions that will be taken against employees for violations of such prohibition; (iii) state in all solicitations or advertisements for employees placed by or on behalf of the subrecipient that the subrecipient maintains a drug-free workplace; and (iv) include the provisions of the foregoing clauses in every subcontract or purchase order of over \$10,000, so that the provisions will be binding upon each subrecipient, subcontractor or vendor. For awards of federal grant funds, failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1000 per day and/or the imposition of an administrative compliance order on the responsible entity.

For the purposes of this section, "*drug-free workplace*" means a site for the performance of work done in connection with a specific contract awarded to a subrecipient, the employees of whom are prohibited from engaging in the unlawful manufacture, sale, distribution, dispensation, possession or use of any controlled substance or marijuana during the performance of the contract.

J. **E-VERIFY PROGRAM:** EFFECTIVE 12/1/13. Pursuant to *Code of Virginia*, §2.2-4308.2., any employer with more than an average of 50 employees for the previous 12 months entering into a contract in excess of \$50,000 with any agency of the Commonwealth to perform work or provide services pursuant to such contract shall register and participate in the E-Verify program to verify information and work authorization of its newly hired employees performing work pursuant to such public contract. Any such employer who fails to comply with these provisions shall be debarred from contracting with any agency of the Commonwealth for a period up to one year. Such debarment shall cease upon the employer's registration and participation in the E-Verify program. If requested, the employer shall present a copy of their Maintain Company page from E-Verify to prove that they are enrolled in E-Verify.

K. **ETHICS IN PUBLIC CONTRACTING:** By submitting their applications, applicants certify that their proposals are made without collusion or fraud and that they have not offered or received any

kickbacks or inducements from any other applicant, supplier, manufacturer, subcontractor or subgrantee in connection with their application, and that they have not conferred on any public employee having official responsibility for this procurement transaction any payment, loan, subscription, advance, deposit of money, services or anything of more than nominal value, present or promised, unless consideration of substantially equal or greater value was exchanged.

L. **FEDERAL EXCLUDED PARTIES LIST:** This contract is being funded in whole or in part by funds granted to grantee by the US Government. Under Federal Executive Order 12549, all contractors receiving individual awards, using federal funds of \$25,000 or more, and all sub-recipients, certify that the organization and its principals are not debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any federal department or agency from doing business with the federal government. By submitting an application, the applicant represents that neither the applicant nor any of its principal officers are on the Federal Excluded Parties List.

M. **HUMAN TRAFFICKING PROVISIONS:** By submitting their proposals, applicants certify to the Commonwealth that they will comply with the requirements of Section 106(g) of the “Trafficking Victims Protection Act of 2000” (22USC 7104). The full text of this requirement is found at <http://www.acf.hhs.gov/grants/award-term-and-condition-for-trafficking-in-persons>

N. **IMMIGRATION REFORM AND CONTROL ACT OF 1986:** Applicable for all contracts over \$10,000: By entering into a written contract with the Commonwealth of Virginia, the Subrecipient certifies that it does not, and shall not during the performance of the contract for goods and services in the Commonwealth, knowingly employ an unauthorized alien as defined in the federal Immigration Reform and Control Act of 1986.

O. **LOBBYING PROHIBITIONS:** Federal grant funds may not be used by any subrecipient (at any tier) to support lobbying activities to influence proposed or pending federal or state legislation or appropriations. This prohibition is related to the use of federal grant funds and is not intended to affect an individual’s right or that of any organization, to petition Congress, or any other level of Government, through the use of other resources. (See 45 CFR Part 93)

P. **NONDISCRIMINATION OF SUBRECIPIENTS:** An applicant or subrecipient shall not be discriminated against in the solicitation or award of this contract because of race, religion, color, sex, national origin, age, disability, faith-based organizational status, any other basis prohibited by state law relating to discrimination in employment or because the applicant employs ex-offenders unless the state agency, department or institution has made a written determination that employing ex-offenders on the specific contract is not in its best interest. If the award of this contract is made to a faith-based organization and an individual, who applies for or receives goods, services, or disbursements provided pursuant to this contract objects to the religious character of the faith-based organization from which the individual receives or would receive the goods, services, or disbursements, the public body shall offer the individual, within a reasonable period of time after the date of his objection, access to equivalent goods, services, or disbursements from an alternative provider.

Q. **OWNERSHIP OF MATERIAL:** Ownership of all data, material and documentation originated and prepared for the State pursuant to the RFA shall belong exclusively to the State and be subject to public inspection in accordance with the Virginia Freedom of Information Act. Trade secrets or

proprietary information submitted by an applicant shall not be subject to public disclosure under the Virginia Freedom of Information Act; however, the applicant must invoke the protection of this section prior to or upon submission of the data or other materials, and must identify the data or other materials to be protected and state the reasons why protection is necessary.

Any reports, studies, photographs, negatives, films, videos, or other documents prepared by the subrecipient in the performance of its obligations under this contract shall be the exclusive property of the grantee and all such materials shall be remitted to the grantee upon completion, termination or cancellation of this contract. The subrecipient shall not use, willingly allow or cause to have such materials used for any purpose other than performance of the subrecipient's obligations under this contract without the prior written consent of the grantee. Any materials produced under this contract must bear a statement that the project was supported by the grantee and identify the title of the funding source.

R. **PAYMENT:**

1. **To Prime Contractor:**

a. Invoices for items ordered, delivered and accepted shall be submitted by the contractor directly to the payment address shown on the purchase order/contract. All invoices shall show the state contract number and/or purchase order number; social security number (for individual contractors) or the federal employer identification number (for proprietorships, partnerships, and corporations).

b. Any payment terms requiring payment in less than 30 days will be regarded as requiring payment 30 days after invoice or delivery, whichever occurs last. This shall not affect offers of discounts for payment in less than 30 days, however.

c. All goods or services provided under this contract or purchase order, that are to be paid for with public funds, shall be billed by the contractor at the contract price, regardless of which public agency is being billed.

d. The following shall be deemed to be the date of payment: the date of postmark in all cases where payment is made by mail, or when offset proceedings have been instituted as authorized under the Virginia Debt Collection Act.

e. **Unreasonable Charges.** Under certain emergency procurements and for most time and material purchases, final job costs cannot be accurately determined at the time orders are placed. In such cases, contractors should be put on notice that final payment in full is contingent on a determination of reasonableness with respect to all invoiced charges. Charges which appear to be unreasonable will be resolved in accordance with *Code of Virginia*, § 2.2-4363 and -4364. Upon determining that invoiced charges are not reasonable, the Commonwealth shall notify the subrecipient of defects or improprieties in invoices within fifteen (15) days as required in *Code of Virginia*, § 2.2-4351.. The provisions of this section do not relieve an agency of its prompt payment obligations with respect to those charges which are not in dispute (*Code of Virginia*, § 2.2-4363).

2. **To Subcontractors:**

a. Within seven (7) days of the subrecipient's receipt of payment from the Commonwealth, a subrecipient awarded a contract under this solicitation is hereby obligated:

(1) To pay the subcontractor(s) for the proportionate share of the payment received for work performed by the subcontractor(s) under the contract; or

(2) To notify the agency and the subcontractor(s), in writing, of the subrecipient's intention to withhold payment and the reason.

b. The subrecipient is obligated to pay the subcontractor(s) interest at the rate of one percent per month (unless otherwise provided under the terms of the contract) on all amounts owed by the subrecipient that remain unpaid seven (7) days following receipt of payment from the Commonwealth, except for amounts withheld as stated in (2) above. The date of mailing of any payment by U. S. Mail is deemed to be payment to the addressee. These provisions apply to each sub-tier contractor performing under the primary contract. A subrecipient's obligation to pay an interest charge to a subcontractor may not be construed to be an obligation of the Commonwealth.

3. Each prime contractor who wins an award in which provision of a SWaM procurement plan is a condition to the award, shall deliver to the contracting agency or institution, on or before request for final payment, evidence and certification of compliance (subject only to insubstantial shortfalls and to shortfalls arising from subcontractor default) with the SWaM procurement plan. Final payment under the contract in question may be withheld until such certification is delivered and, if necessary, confirmed by the agency or institution, or other appropriate penalties may be assessed in lieu of withholding such payment.

4. The Commonwealth of Virginia encourages subrecipients and subcontractors to accept electronic and credit card payments.

S. **POLITICAL ACTIVITY PROHIBITED:** The Subrecipient funded under this contract shall not use these program funds, provide services, or employ or assign personnel, in a manner supporting or resulting in the identification of such programs with any partisan political activity or any political activity associated with a candidate, or contending faction or group, in an election for public or party office.

T. **PRIME SUBRECIPIENT RESPONSIBILITIES:** If approval is granted by the grantee to subcontract any portion of this contract, the subrecipient shall be responsible for completely supervising and directing the work under the contract and all subcontractors that he may utilize, using his best skill and attention. Subcontractors who perform work under this contract shall be responsible to the prime subrecipient. The subrecipient agrees that he is as fully responsible for the acts and omissions of his subcontractors and of persons employed by them as he is for the acts and omissions of his own employees.

U. **RELIGIOUS ACTIVITY PROHIBITIONS:** Direct federal grants, sub-awards, or contracts shall not be used to support inherently religious activities such as religious instruction, worship, or proselytization. Therefore, the subrecipient must take steps to separate, in time or location, their inherently religious activities from the services funded under this program. (See 45 CFR Part 87)

V. **SAME-SEX MARRIAGE PROVISIONS:** In accordance with the decision in United States vs Windsor (133 S. Ct. 2675 (June 26, 2013); Section 3 of the Defense of Marriage Act, codified at 1 USC 7, in any grant-related activity in which family, marital, or household considerations are, by statute or regulation, relevant for purposes of determining beneficiary eligibility or participation, grantees must treat same-sex spouses, marriages, and households on the same terms as opposite sex spouses, marriages, and households, respectively. “Same-Sex Spouses” means individuals of the same sex who have entered into marriages that are valid in the jurisdiction where performed, including any of the 50 states, the District of Columbia, or a U.S. territory or in a foreign country, regardless of whether or not the couple resides in a jurisdiction that recognizes same-sex marriage. “Same-Sex Marriages” means marriages between two individuals validly entered into in the jurisdiction where performed, including any of the 50 States, the District of Columbia, or a U.S. territory or in a foreign country, regardless of whether or not the couple resides in a jurisdiction that recognizes same-sex marriage. “Marriage” does not mean registered domestic partnerships, civil unions or similar formal relationships recognized under the law of the jurisdiction of celebration as something other than a marriage.

W. **SMOKE FREE ENVIRONMENT:** The applicant certifies to the Commonwealth that it will comply with the requirements of Title XII of Public Law 103-227, the “PRO-KIDS Act of 1994”, which requires that smoking not be permitted in any portion of any indoor facility owned or leased or contracted for by an entity and used for the provisions of health, day care, education, or library services to children under the age of 18, if the services are funded by federal programs either directly or through State or local governments, by federal grant, contract, loan, or loan guarantee. The law does not apply to children’s services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1000 per day and/or the imposition of an administrative compliance order on the responsible entity. Additionally, the applicant certifies that it will include the above language in any subawards that contain provisions for children’s services.

X. **STATE CORPORATION COMMISSION IDENTIFICATION NUMBER:** Pursuant to Code of Virginia, §2.2-4311.2 subsection B, an offeror or applicant agency organized or authorized to transact business in the Commonwealth pursuant to Title 13.1 or Title 50 is required to include in its bid or proposal the identification number issued to it by the State Corporation Commission (SCC). Any offeror or applicant agency that is not required to be authorized to transact business in the Commonwealth as a foreign business entity under Title 13.1 or Title 50 or as otherwise required by law is required to include in its bid or proposal a statement describing why the offeror or applicant agency is not required to be so authorized. Indicate the above information on the SCC Form provided. Contractor agrees that the process by which compliance with Titles 13.1 and 50 is checked during the solicitation stage (including without limitation the SCC Form provided) is streamlined and not definitive, and the Commonwealth’s use and acceptance of such form, or its acceptance of Contractor’s statement describing why the offeror or applicant agency was not legally required to be authorized to transact business in the Commonwealth, shall not be conclusive of the issue and shall not be relied upon by the Contractor as demonstrating compliance.

Y. **SUBCONTRACTS:** No portion of the work shall be subcontracted without prior written consent of the grantee. In the event that the subrecipient desires to subcontract some part of the work specified

herein, the subrecipient shall furnish the grantee the names, qualifications and experience of their proposed subcontractor(s). The subrecipient shall, however, remain fully liable and responsible for the work to be done by its subcontractor(s) and shall assure compliance with all requirements of the contract.

Z. **SUBRECIPIENT AS INDEPENDENT ENTITY**: During the performance of this agreement, the subrecipient shall be regarded as an independent entity and not as an agent or employee of the Commonwealth of Virginia or the grantee. The subrecipient shall be responsible for all its own insurance and federal, state, local and social security taxes.

AA. **SUPPLANTATION OF FUNDS**: The applicant assures that funds made available under this contract will not be used to supplant state or local funds, but will be used to increase the amounts of such funds that would be, in the absence of these funds, made available for AmeriCorps service activities.

Section X. Subaward Payment Terms

Compensation to the Subrecipient for delivered services shall be as follows:

For providing the services specified in the subaward agreement, the subrecipient will be reimbursed monthly. The Subrecipient shall submit expenditure statements within 10 days following the end of the month in which services were performed.

Disbursement of funds will follow a cost reimbursement procedure and will be for actual funds expended. Actual expenditures shall be itemized and invoiced pursuant to approved line item budget categories in eGrants. Subrecipients shall only be reimbursed for costs that have been incurred within the grant subaward period. Requests for reimbursement shall be submitted through the upload of monthly Periodic Expense Reports to the OnCorps reporting system. The subrecipient shall submit a Periodic Expense Report showing no “current month’s expenditures” if that is the case in any invoice period.

The subrecipient should allow 30 days from the time expenditure statements are received by the VDSS until reimbursement is received. If errors are found in the expenditure statements, the 30 days will be from the date a corrected expenditure statement is received. Subrecipients must also submit the final request for reimbursement to VDSS within 10 days after the expiration of the performance period.

The subrecipient shall be required to maintain accounting records to support all requests for reimbursement. These records shall be available for review by the Commonwealth of Virginia. VDSS will monitor expenditures.